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ALEXANDRIA, VA 22320

In re Application of
Komatsuda, et al.
Application No. 09/396,582
Filed: September 15, 1999
Atty. Dkt. No. 105203

OFFICE OF PETITIONS
ON PETITION

This is a decision on the renewed petition filed July 16, 2002
under 37 CFR 1.181.

The petition is **GRANTED**.

The application was held abandoned December 26, 2001 for failure
to timely submit the issue fee as required by the Notice of
Allowance and Issue Fee Due ("Notice") mailed September 25, 2001.
The Notice set a three (3) month statutory period of time for
reply. Notice of Abandonment was mailed April 11, 2002.

Petitioner argues that in response to the Notice, a Request for
Continued Examination ("RCE") along with submission and required
fee were filed December 17, 2001.

A review of the official application file indicates that the
requirements of 37 CFR 1.114 were timely met on December 14,
2001.

In view of the above, the Notice of Abandonment is hereby **VACATED**
and the Notice of Abandonment is **WITHDRAWN**.

The application file is being forwarded to Technology Center 2800
for consideration of the submission under 37 CFR 1.114 filed
December 17, 2001.

No fee is due in connection with this matter.

Telephone inquiries regarding the status of this application
should be directed to Technology Center at (703) 308-0956.

Telephone inquiries concerning the content of this decision on
petition may be directed to the undersigned at (703) 305-0310.

Alesia M. Brown
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Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy